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SIPDIS
TELEGRAM

July 22, 2003

To: No Action Addressee
Action: Unknown
From: AMEMBASSY ABU DHABI (ABU DHABI 3410 - ROUTINE)
TAGS: ELAB, PREL, PHUM, PGOV, SOCI, CVIS
Captions: None
Subject: UAE SUPREME COURT RULES SPONSORS CANNOT WITHHOLD
PASSPORTS OF EMPLOYEES
Ref: None

UNCLAS ABU DHABI 03410

SIPDIS
CXABU:
ACTION: ECON
INFO: DCM POL P/M AMB
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INFO: FCS

DISSEMINATION: ECON
CHARGE: PROG

APPROVED: A/DCM: KVANDEVATE
DRAFTED: ECON: GARANA
CLEARED: ECON: OBJOHN

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ZNR UUUUU ZZH
R 221137Z JUL 03
FM AMEMBASSY ABU DHABI
TO RUEHC/SECSTATE WASHDC 0964
RUCPDOG/USDOC WASHDC
RUEHZM/GCC COLLECTIVE

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SIPDIS

STATE FOR NEA/ARP, NEA/RA, DRL AND EB/CBA
STATE PASS OPIC/OPIC INTERNATIONAL POLICY DEPARTMENT
FOR VIRGINIA GREEN AND CONSTANCE SHINN
USDOC FOR 4530/ITA/MAC/ONE/DGUGLIELMI,
4520/ITA/MAC/ONE/CLOUSTAUNAU,
4500/ITA/MAC/DAS/WILLIAMSON,
3131/CS/OIO/ANESA

SENSITIVE

E.O. 12958: N/A
TAGS: [ELAB](#) [PREL](#) [PHUM](#) [PGOV](#) [SOCI](#) [CVIS](#) [TC](#)
SUBJECT: UAE SUPREME COURT RULES SPONSORS CANNOT
WITHHOLD PASSPORTS OF EMPLOYEES

¶1. (U) Local papers reported on July 17 that the Federal Supreme Court ruled sponsors cannot withhold the passports of their employees -- a common practice among employers in the UAE. The Court held that a passport is a personal document, granted by a

government to its citizens to travel. A passport cannot be taken away from its holder without a court order. Following the Court decision, Ministry of Interior Undersecretary Major General Shaykh Saif bin Zayed Al-Nahyan wrote in a letter to the Ministry of Labour and Social Affairs, "It is not allowed to impound a passport by any party other than the competent judicial authorities in accordance with the law... impounding this document by any party in the UAE without a court order is in violation of the law. [The Ministry of Labour is] requested to send instructions to all relevant parties in the country to take the necessary measures against anyone who impounds or seizes the passport of another person no matter what the reasons and justifications are."

¶2. (SBU) Local interlocutors told Econoff that they were surprised, but pleased, by the decision. They stated the decision came out of the blue and is likely to benefit low-income workers. Though holding passports is a widespread phenomenon, some Western executives do not surrender their passports to their employers when working in the UAE. However, laborers and workers in blue-collar jobs generally do relinquish their passports because they lack leverage. The embassy contacts expect the UAE market for fake or forged passports to shrink over time as workers hold on to their passports. One local attorney told Econoff that he would immediately start informing U.S. and western businesses that they should not keep their employees' passports, whereas in the past he recommended it as a local business practice.

¶3. (SBU) Comment: The Court decision and follow-up statement by the Interior Ministry are welcome developments. It will take time for the decision to have a meaningful practical impact and it is unclear what sanctions sponsors will face for retaining passports, but the decision is nevertheless a very positive step forward for workers. In the long-term, controlling their own passports will create bargaining leverage for workers and likely result in better treatment and wages. End comment.

Wahba